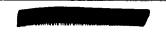
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 2,186,998

Trademark: QUILTWASH

Registered on June 23, 1998



07-25-2003

U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

FAIRFIELD PROCESSING CORP.,

Petitioner,

VS.

THE BUROW GROUP, INC.,

Respondent.

Cancellation No. 92042081

RESPONDENT'S ANSWER TO PETITION FOR CANCELLATION

> ं? (3) (3)

RESPONDENT'S ANSWER TO PETITION FOR CANCELLATION

The Burow Group, Inc., hereinafter referred to as "RESPONDENT," by its attorney, responds as follows to the Petition for Cancellation filed on May 28, 2003 by Fairfield Processing Corp., hereinafter referred to as "PETITIONER" (copy mailed to RESPONDENT on June 13, 2003 by the Trademark Trial and Appeal Board).

With respect to the introductory paragraph of the Petition for Cancellation, RESPONDENT is without knowledge or information sufficient to form a belief as to the truth of the allegations set forth, in that RESPONDENT is without knowledge of PETITIONER, or how the "continuing presence on the Supplemental Register of the term 'quiltwash'" is likely to damage PETITIONER, and on that basis denies each and every allegation contained therein, leaving PETITIONER to its proof thereof.

In Answer to the Petition for Cancellation, RESPONDENT avers as follows (per numbered paragraph of the Petition for Cancellation):

11 12

13

14

15

1

2

3

4

5

6

7

8

9

10

16 17

18

19 20

21

22 23

24

25

26

27

28

RESPONDENT denies each and every allegation set forth in Paragraph 9.

Cancellation No. 92042081 Respondent's Answer to Petition for Cancellation

28

1 2	RESPONDENT denies each and every allegation set forth in Paragraph 10.
3	RESPONDENT denies each and every allegation set forth in Paragraph 11.
4	
5	12. RESPONDENT denies each and every allegation set forth in Paragraph 12.
6	
7 8	13. RESPONDENT denies each and every allegation set forth in Paragraph 13.
9	AFFIRMATIVE AND SPECIAL DEFENSES
10	AFTIRMATIVE AND SPECIAL DEFENSES
11	1. On information and belief, PETITIONER knew, or should have known, of
12	RESPONDENT'S use of RESPONDENT'S mark prior to the filing of PETITIONER'S
13	Petition for Cancellation, but waited an unreasonable period of time before filing such
14	Petition. PETITIONER has therefore lost its right to now assert that it will be damaged
15	by RESPONDENT'S registration under the doctrines of acquiescence, estoppel, and
16	laches.
17	
18	WHEREFORE, Respondent respectfully prays that this Petition for Cancellation be dismissed in
19	its entirety, with prejudice, and that the Registration No. 2,186,998 be maintained.
20	
21	Respectfully submitted,
22	
23	$\int \int da \int da$
24	Dated: July 22, 2003 Thomas W. Cook, Reg. No. 38,849
25	Attorney for Respondent P.O. Box 1989
26	3030 Bridgeway, Suite 425 Sausalito, California 94965
27	Telephone: 415-339-8550 Email: tcook@thomascooklaw.com
28	Veenamaseookiaw.com

Cancellation No. 92042081 Respondent's Answer to Petition for Cancellation

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached RESPONDENT'S ANSWER TO PETITION FOR CANCELLATION is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Box TTAB, No Fee Trademark Trial and Appeal Board Assistant Commissioner of Patents and Trademarks 2900 Crystal Drive Arlington, Virginia 22202-3513.

on <u>July 27</u>, 2003.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

CERTIFICATE OF SERVICE BY U.S. MAIL, 37 C.F.R. § 2.119(a)

I hereby certify that the attached true and correct copy of the RESPONDENT'S ANSWER TO PETITION FOR CANCELLATION is being deposited with the United States Postal Service as first-class mail in an envelope addresses to:

Ware, Fressola, Van Der Sluys & Adolphson LLP P.O. Box 224 755 Main Street, Building 5 Monroe, Connecticut 06468-0224

Attention: Robert H. Ware, Esq.

on July 22, 2003

VICTOR TORR

Cancellation No. 92042081